

Bonnie Lowenthal, Vice Mayor, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Patrick H. West, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Gerrie Schipske, 5th District
Dee Andrews, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

**RECOGNITION OF HEARTWELL PARK BOBBY SOX
FOR NATIONAL CHAMPIONSHIP VICTORY**

**PROCLAMATION PRESENTED FOR
DOMESTIC VIOLENCE AWARENESS MONTH
OCTOBER 2007**

**PROCLAMATION PRESENTED FOR OCTOBER AS
GAY, LESBIAN, BI-SEXUAL, TRANSGENDER (GLBT) HISTORY MONTH
AND OCTOBER 11, 2007 AS NATIONAL COMING OUT DAY**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARINGS:

1. 07-1163 Recommendation to receive supporting documentation into the record, conclude the hearing, and adopt resolution approving the Long Beach Tourism Business Improvement Area Program and assessment for the period of October 1, 2007 through September 30, 2008; and authorize City Manager to execute an agreement with the Long Beach Area Convention and Visitors Bureau for a one-year term. (Districts 1,2,4,5)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

2. 07-1164 Recommendation to receive supporting documentation into the record, conclude the hearing and grant a One-Year Short-Term Permit, with or without conditions, or deny the Permit on the application of Queens Seaport Development, Inc., dba Queen Mary, 1126 Queens Highway South, for a Permit for Entertainment With Dancing by Patrons. (District 2)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

3. 07-1165 Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit, with or without conditions, or deny the Permit on the application of EWJJ Inc., dba El Dorado Restaurant, 3014 Studebaker Road, Suite C, for a Permit for Entertainment With Dancing by Patrons at an existing restaurant. (District 5)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (4 - 13)

4. 07-1175 Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$111,562.50 for Stipulations with Request for Award, and \$38.65 per week for a Life Pension for the claim of Roland Bell; and \$125,005 for Stipulations with Request for Award, and \$88.90 per week for a Life Pension for the claim of Herbert Smith in compliance with the Appeals Board Orders.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

5. 07-1177 Recommendation to receive and forward the 2008/2009 Elections Plan to the Elections Oversight Committee for further review and public comment; and
- Receive and forward the April 8, 2008 Primary Nominating Election Cost Estimate to the Budget Oversight Committee for further review and public comment.
- Office or Department:** CITY CLERK
- Suggested Action:** Approve recommendation.
6. 07-1179 Recommendation to refer consideration of the "Authorities, Boards, Commissions, and Committees Handbook" to the Personnel and Civil Service Committee for potential adoption by the City Council.
- Office or Department:** CITY CLERK
- Suggested Action:** Approve recommendation.
7. 07-1176 Recommendation to approve the City Council minutes for the meeting of Tuesday, October 2, 2007.
- Office or Department:** CITY CLERK
- Suggested Action:** Approve recommendation.
8. 07-1180 Recommendation to refer to City Attorney damage claims received between September 27, 2007 and October 4, 2007.
- Office or Department:** CITY CLERK
- Suggested Action:** Approve recommendation.
9. 07-1166 Recommendation to authorize City Manager to execute the First Amendment to Amended and Restated Lease No. WDL-96 with Kilroy Realty, L.P., a Delaware Limited Partnership, for City and Water Department-owned property at the Kilroy Airport Center. (District 5)
- Office or Department:** COMMUNITY DEVELOPMENT; PUBLIC WORKS
- Suggested Action:** Approve recommendation.

10. 07-1167 Recommendation to authorize City Manager to execute an agreement with Veterans in Community Service, Inc., for the use of the Neighborhood Resource Center to provide the Home Energy Assistance Program for up to five years, with an option to renew for two additional two-year periods, based on satisfactory performance and availability of State funding. (Citywide)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

11. 07-1168 Recommendation to adopt resolution authorizing City Manager to execute an agreement and all related documents with Bartel Associates, LLC to provide actuarial services for the Public Agency Retirement System (PARS) Defined Benefits Plan Trust, in an amount not to exceed \$25,000 annually. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

12. 07-1169 Recommendation to authorize City Manager to execute agreements and subsequent amendments with Kaiser Permanente to implement the Latino Diabetes Prevention and Management Program in the amount of \$37,500 for a period of one year from the receipt of the funding. (Citywide)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

13. 07-1170 Recommendation to receive and file the application of Sony Pream Hul, dba Bamboo Island Restaurant & Bakery, for a person-to-person transfer of an Alcoholic Beverage Control License, at 816-18 E. Anaheim Street, with existing conditions. (District 6)

Office or Department: POLICE

Suggested Action: Approve recommendation.

UNFINISHED BUSINESS:

14. 07-1085 Recommendation to authorize City Manager to execute Facility Use Permits at Facilities Centers with the agencies listed, for a period of five years, with the option of extending each permit annually after the end of the initial term upon a determination by the City that the permittee has fully complied with the terms and conditions of the Permit and is otherwise in good standing with the City. (District 6)

Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

15. 07-1184 Recommendation to make one new appointment to the Greater Los Angeles County Vector Control District pursuant to State Health and Safety Code (SHSC) Section 2022 to a term length of two years in accordance to SHSC 2024 (a).

Office or Department: MAYOR BOB FOSTER

Suggested Action: Approve recommendation.

16. 07-1185 Recommendation to make one reappointment and one new appointment to the Long Beach Public Transportation Company Board of Directors pursuant to Article 3, Section 3 of the by-laws of the Long Beach Public Transportation Company; three reappointments and two new appointments to The Long Beach Housing Development Company Board pursuant to Article 4, Section 3 of the by-laws of The Long Beach Housing Development Company Board.

Office or Department: MAYOR BOB FOSTER

Suggested Action: Approve recommendation.

17. 07-1186 Recommendation to make two reappointments to the Belmont Shore Parking & Business Improvement Area Advisory Commission, four new appointments to the Board of Health and Human Services, one reappointment and two new appointments to the Community Development Advisory Commission, one new appointment to the Homeless Services Advisory Commission, two new appointments to the Human Relations Commission, and two reappointments and one new appointment to the Municipal Golf Commission.
- Office or Department:** MAYOR BOB FOSTER
- Suggested Action:** Approve recommendation.
18. 07-1182 Recommendation to request City Council declare "Lights Out Long Beach" to coincide with the County's "Lights Out Los Angeles"; that City Manager determine which lights in municipal buildings and public landmarks can be turned off; and that City Manager work with residents, local businesses and organizations to solicit their participation.
- Office or Department:** VICE MAYOR BONNIE LOWENTHAL,
COUNCILMEMBER, FIRST DISTRICT; MAYOR
BOB FOSTER
- Suggested Action:** Approve recommendation.
19. 07-1183 Recommendation to request City Manager to enter into a Memorandum of Understanding with the Aquarium of the Pacific that will allow the Aquarium to display the "From Sea to Shining Sea: 200 Years of Charting America's Coasts" exhibit from October 4, 2007 through December 7, 2007.
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT
- Suggested Action:** Approve recommendation.
20. 07-1028 Recommendation to City Council to concur in recommendation of the Budget Oversight Committee that Financial Policy No. 3 be amended and Financial Policy No. 11 be added for FY 2008.
- Office or Department:** COUNCILMEMBER GARY DELONG, THIRD DISTRICT, CHAIR; BUDGET OVERSIGHT COMMITTEE
- Suggested Action:** Approve recommendation.

21. 07-1015 Recommendation to City Council to concur in recommendation of the Elections Oversight Committee to request City Attorney to prepare the following proposed changes to Election-Related Ordinances. Proposals 1, 2 and 3 should be adopted as written and Proposals 4 and 5 should be amended to allow five (5) business days to protest incorrect voter materials or candidate statements for a General Election and eight (8) business days for a Primary Election.

Office or Department: VICE MAYOR BONNIE LOWENTHAL,
COUNCILMEMBER, FIRST DISTRICT, CHAIR;
ELECTIONS OVERSIGHT COMMITTEE

Suggested Action: Approve recommendation.

22. 07-1119 Recommendation to City Council to concur in recommendation of the Federal Legislation Committee to support the Aquarium of the Pacific in seeking federal funds to fully implement its mission of "instilling a sense of wonder, respect, and stewardship for the Pacific Ocean, its inhabitants, and ecosystems."

Office or Department: COUNCILMEMBER GARY DELONG, THIRD
DISTRICT, CHAIR; FEDERAL LEGISLATION
COMMITTEE

Suggested Action: Approve recommendation.

23. 07-1120 Recommendation to City Council to concur in recommendation of the Federal Legislation Committee to consider extending the City's contract with Carpi Clay & Smith (formerly known as E. Del Smith and Company) through the end of the 2007 calendar year.

Office or Department: COUNCILMEMBER GARY DELONG, THIRD
DISTRICT, CHAIR; FEDERAL LEGISLATION
COMMITTEE

Suggested Action: Approve recommendation.

24. 07-1148 Recommendation to adopt resolution requesting the Board of Supervisors of the County of Los Angeles to authorize and order the consolidation of a Citywide Special Municipal Election with the Statewide Presidential Primary Election to be held on Tuesday, February 5, 2008, and determining and declaring that the City will pay to the County reasonable and actual expenses incurred by the County on account of the consolidation of this election;
- 07-1149 Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a Special Municipal Election to be held on Tuesday, February 5, 2008; and
- 07-1150 Adopt resolution calling and providing for and giving notice of a Special Municipal Election to be held in the City of Long Beach on Tuesday, the 5th day of February, 2008, for the purpose of submitting two ballot propositions to a vote of the qualified electors of the City. (Citywide)
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
25. 07-1171 Recommendation to authorize City Manager to execute the Fifth Amendment to Agreement No. 28164 with the Long Beach Area Convention and Visitors Bureau to provide funding in the amount of \$3,930,366 for Fiscal Year 2008. (Citywide)
Office or Department: CITY MANAGER

Suggested Action: Approve recommendation.
26. 07-1172 Recommendation to authorize City Manager to execute the Master Services Contract Schedule A Agreement for the intrastate transmission of natural gas between the City of Long Beach and the Southern California Gas Company for the period of November 1, 2007 through October 31, 2009 in the amount of approximately \$3,400,000. (Citywide)
Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

27. 07-1173 Recommendation to adopt resolutions approving the Memorandum of Understanding with the Long Beach Police Officers Association and Long Beach Firefighters Association, allowing for implementation of a workers' compensation alternative dispute resolution process. (Citywide)

Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.

28. 07-1174 Recommendation to authorize City Manager to enter into contracts with various physicians for the purpose of serving as Independent Medical Examiners in the workers' compensation alternative dispute resolution process with the Long Beach Police Officers Association and the Long Beach Firefighters Association. (Citywide)

Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.

29. 07-1178 Recommendation to review and consider information related to the recommendations by the Housing and Neighborhoods Committee in relation to Neighborhood Character Stabilization and mansionization recommendations; and

Adopt a minute order requesting City Attorney, in cooperation with the Department of Planning and Building, to prepare an interim zoning ordinance pursuant to Chapter 21.50 of the Long Beach Municipal Code (LBMC), for notice and placement on the City Council agenda for hearing at its third meeting following the adoption of the minute order; further request the Department of Planning and Building and the Planning Commission to undertake a formal study of the existing zoning regulations, zoning uses, or developmental standards as are more fully described in the text of this Council letter; and request that during the period between the adoption of the subject minute order, and the adoption or rejection of an ordinance prepared pursuant to the terms of this Council letter and action, that no permit or other entitlement for use of any kind be issued for any project or proposed use, inconsistent or in conflict with the initiated action. (District 3)

Office or Department: PLANNING AND BUILDING

Suggested Action: Approve recommendation.

ORDINANCES:

30. 07-1151 Recommendation to declare ordinance amending the Long Beach Municipal Code by adding Subsection 5.16.010(F), and by adding Section 5.16.050 as Article VI, both relating to car rental agencies, read and adopted as read. (Citywide)
Office or Department: CITY ATTORNEY
Suggested Action: Approve recommendation.
31. 07-1146 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending and restating in its entirety Chapter 8.61, relating to administrative citations, read and adopted as read. (Citywide)
Office or Department: CITY MANAGER
Suggested Action: Approve recommendation.
32. 07-1145 Recommendation to declare ordinance amending Long Beach Municipal Code by amending Section 9.65.020 Subsection A, and Section 9.65.050, relating to administrative citations and free standing canopies in residential areas, read and adopted as read. (Citywide)
Office or Department: COMMUNITY DEVELOPMENT
Suggested Action: Approve recommendation.

NEW BUSINESS:

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Thursday afternoon.

33.

34.

35.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

STANDING COMMITTEE REMINDERS:

Tuesday, October 9, 2007 – Housing Authority at 4:30 P.M., Council Chamber.

HEARING REMINDERS:

Tuesday, October 16, 2007 – Hearing for S.C. Fish Grill, LLC, dba Khoury's Restaurant, for a Permit for Entertainment With Dancing by Patrons, 110 Marina Drive. (District 3)

NOTE:

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.

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